

Exhibit A

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA**

JONATHAN R., *et al.*,

Plaintiffs,

v.

JIM JUSTICE, *et al.*,

Defendants.

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Case No. 3:19-cv-00710

JOINT EVIDENTIARY STIPULATIONS

The Parties by and through their counsel hereby agree to the following stipulations as to the authenticity and admissibility of exhibits. Objections to the relevance or cumulativeness of exhibits are preserved.

1. The Parties stipulate to the authenticity and admissibility of the following documents created by the United States government listed on Defendants' List of Trial Exhibits: D003112968–D003112999, D146316–D146341, D003113000–D003113031, D003114177–D003114255, D003114256–D003114335, D003168866–D003168897, D003168898–D003168929, D137815–D137837, D137738–D137760, D139013–D139045, D003112949–D003112954, D003113118–D003113123, D003169507–D003169534, D003169048–D003169106, D003113038–D003113038, D003113032–D003113032, D003113033–D003113037, D003113171–D003113222, D003112201–D003112252, D003169221–D003169276, D001937246–D001937439, D223093, D223112, D223483, D223118, D222766, D222776, D223092, D223117, D222767–D222771, D222772–D222775, D223107–D223107, D223113–D223116, D003169804–D003169807, D003169808–D003169811, D003169813–D003169816, D003169799–D003169802, D003169817–D003169820.
2. The Parties stipulate to the authenticity and admissibility of the following documents published on a West Virginia or United States government website listed on Defendants' List of Trial Exhibits: D003097184–D003097271, D003106245–D003106295, D003108118–D003108137, D003108138–D003108293, D003108294–D003108308, D141900–D141927, D142125–D142130, D142131–D142184, D002231168–D002231239, D003107531–D003107761, D003107870–D003108117, D003107446–D003107530, D003106822–D003106833, D003097739–D003097768, D003107795–D003107869, D002771339–D002771363, D002141019–D002141042, D002141194–D002141240, D003106834–D003107422, D003113228–D003113228, D002760523, D002760524, D002760525, D002760526, D002760527, D002760528,

- D002760529, D002760530, D002760531, D002760532, D002760533, D003097294, D003113039, D003113040, D003113041, D003113993, D219639, D219649, D219653, D219655, D219669, D219673, D219633, D002760456, D002760474, D002760476, D002760483, D002760494, D002760496, D002760512, D002760520, D002760521, D002760522, D003113136–D003113170, D003169857–D003169909, D003171132–D003171134, D003105761–D003105775, D003098287–D003098237, D003097775–D003098286, D003170050–D003170581, D003114541–D003114577, D003171136–D003171240, D003171242–D003171345, D003171453–D003171570, D003171571–D003171671, D003171675–D003171796, D064432–D064457, D210344–D210373, D217882–D217937, D002742945–D002742955, D002742956–D002742966, D003169764–D003169773, D222382–D222391, D222392–D222398, D222399–D222405, D222406–D222412, D222413–D222419, D222420–D222426, D222427–D222433, D222434–D222444, D222445–D222455, D222456–D222464, D222465–D222472, D222473–D222482, D003097101–D003097124, D217447–D217528, D002232660–D002232863, D002232521–D002232635, D002232254–D002232419, D217301–D217446, D003172795–D003172797, D003169413–D003169440, D003169107–D003169119, D003112962–D003112966, D002761520–D002761612, D003169120–D003169217, D003169277–D003169412, D003169218–D003169220, D003113126–D003113135, D003171135–D003171135, D003171347–D003171441, D003171346–D003171346, D003171449–D003171449, D003171444–D003171445, D003171446–D003171447, D003171451–D003171451, D003171800–D003171801, D003171443–D003171443, D003171452–D003171452, D003113800–D003113834.
3. The Parties stipulate to the authenticity and admissibility of the following documents authored or commissioned by the West Virginia Department of Human Services (“DoHS”) listed on Defendants’ List of Trial Exhibits: D003169620–D003169642, D003113569–D003113784, D003172612–D003172762, D003169785–D003169794, D003097522–D003097528, D001182969–D001182975, D003097564–D003097628, D003113984–D003113991, D002779858–D002779858, D003172769–D003172769, D002759115–D002759127, D001937446–D001937449, D002230165–D002230165, D002227759–D002227775, D001023753–D001023800, D002141445–D002141445, D002232864–D002232875, D002760643–D002760674, D142036–D142036, D216969–D217118, D217119–D217218, D217219–D217299, D222213–D222213, D003108354–D003108362, D223472–D223482, D143804–D144041, D210447–D210695, D210956–D211243, D222777–D222788, D222789–D223091, D223094–D223106, D223119–D223464, D003106181–D003106215, D003171808–D003171922, D002764958–D002764974, D219820–D219956.
 4. The Parties stipulate to the authenticity and admissibility of the following contracts and statements of work between DoHS and third parties listed on Defendants’ List of Trial Exhibits: D003105783–D003105784, D003105776–D003105782, D143583–D143604.
 5. The Parties stipulate to the authenticity and admissibility of the following documents created by DoHS relating to employee compensation or provider payments listed on Defendants’ List of Trial Exhibits: D003172599–D003172606, D003105528–D003105528, D002846832–D002846837, D002846845–D002846846, D002846864–

- D002846869, D002846873–D002846875, D002846876–D002846877, D002846878–D002846881, D003105752–D003105755, D003113226–D003113227, D003113223–D003113225, D003105758–D003105760, D023349–D023354.
6. The Parties stipulate to the authenticity and admissibility of the following DoHS policies, procedures, guidance, and memoranda listed on Defendants’ List of Trial Exhibits: D003113073–D003113088, D143284–D143284, D003172597–D003172598, D023543–D023546, D002227655–D002227662, D003170901–D003170974, D003096540–D003096546, D002769118–D002769122, D002761999–D002762002, D002763836–D002763839, D002230209–D002230209, D003113960–D003113983, D216954–D216955, D003172607–D003172611, D003096676–D003096677, D002845987–D002845989, D003105479–D003105527, D002141018–D002141018, D002760743–D002760752, D003097331–D003097349, D003096682–D003096683, D003096354–D003096355, D003105533–D003105541, D003096680–D003096681, D003096659–D003096661, D003096443–D00309644, D002230183–D002230193, D003097701–D003097737, D143267–D143283, D003105542–D003105548 , D219677–D219681, D003106216–D003106218, D002230194–D002230208, D002846841–D002846844, D216956–D216957, D216958–D216960, D216961–D216963, D216966–D216968, D216964–D216965, D210323–D210323, D211371–D2113714, D003096327–D003096328, D003096477–D003096481, D003096610–D003096611, D003096360–D003096362, D003096767–D003096768, D003096438–D003096439, D003096638–D003096640, D003096429–D003096429, D003096744–D003096745, D003096634–D003096637, D003096367–D003096367.
 7. The Parties stipulate to the authenticity and admissibility of the following data reports prepared using the West Virginia PATH, FACTS, MMIS, or wvOASIS data systems listed on Defendants’ List of Trial Exhibits: D003113566–D003113566, D219803–D219803, D219804–D219804, D003113507, D002742449, D002742450, D002742451, D002742452, D002742453, D002742454, D002742455, D002742456, D002742457, D002742458, D002742459, D002742460, D002742461, D002742462, D002742463, D003113503, D003113504, D003113505, D003113506, D003113508, D001239724, D001239725, D001239726, D001239727, D001239729, D001273915, D002743000, D002759111, D003113567, D003113568, D003113507–D003113507, D003216426, D219806, D219807, D002758617–D002758617, D003171807–D003171807, D003171806–D003171806, D003098347–D003098347, D003105352–D003105352, D003105353–D003105354, D003113564–D003113565, D003114612, D003114614, D003114615, D003114616, D003114618, D003114613, D003114617, D003114619, D003114620.
 8. The Parties stipulate to the authenticity and admissibility of the following trade publications listed on Defendants’ List of Trial Exhibits: D003169848–D003169856, D003169836–D003169847, D003169823–D003169835, D003172787–D003172794, D003216461–D003216590, D003172785–D003172786.
 9. The Parties stipulate to the authenticity and admissibility of the following data reports prepared or commissioned by DoHS listed on Defendants’ List of Trial Exhibits: D003105334–D003105334, D003168955, D003097047–D003097050, D003169910–D003169913, D003097043–D003097046, D003097064–D003097067, D003105467–

D003105470, D003172763–D003172763, D003172764–D003172764, D003172768–D003172768, D003114373–D003114373, D003169822–D003169822, D219632–D219632, D003108321–D003108321, D003168956, D162875, D002779513–D002779517, D003113229–D003113229, D003112948, D003113042, D003113043, D003113044, D003113046, D003113048, D003113049, D003113051, D003113052, D003113053, D003113057, D003113058, D003113060, D003113061, D003113064, D003113065, D003113066, D003113072, D003169914, D003216459, D003113487–D003113493, D003096935–D003096935, D003096940–D003096940, D003096947–D003096948, D003096955–D003096955, D003096967–D003096968, D003096969–D003096970, D003097001–D003097002, D003097003–D003097004, D003097015–D003097018, D003097080–D003097083, D002228268–D002228268, D002762940–D002762940, D003096877, D003096896, D003096875, D003096895, D003096908, D003096912, D003096913, D003096883, D003096905, D003096888, D003096886, D003096889, D003096874, D003096911, D003096872, D003096910, D003096887, D003096894, D003096899, D003096907, D003096909, D003096906, D003096893, D003096885, D003096878, D003096869, D003096902, D003096900, D003096903, D003096901, D003096904, D003096897, D003096880, D003096884, D003096881, D003096882, D003096871, D003096870, D003096892, D003096898, D003096879, D003096891, D003096876, D003096873, D003096890, D003105341, D003105347, D003105335, D003105346, D003105342, D003105336, D003105345, D003105343, D003105339, D003105340, D003105338, D003105337, D003105348, D003105344, D002231373–D002231373, D002231477–D002231477, D003216435–D003216444, D003216446–D003216447, D003216448–D003216451, D003216445–D003216445, D003216457–D003216458, D003216452–D003216456, D002742913–D002742913, D002742918–D002742918, D222170–D222170, D222178–D222178, D222183–D222183, D222187–D222187, D222191–D222191, D137195–D137199, D002779569–D002779569, D002846811–D002846811, D003168964–D003168964, D003113045–D003113045, D003172772–D003172772, D003172782–D003172782, D003172783–D003172783, D003172780–D003172780, D003172773–D003172773, D003172774–D003172774, D003172776–D003172776, D003216613–D003216613, D002774552–D002774552.

10. The Parties stipulate to the authenticity and admissibility of the Defendants' expert reports listed on Defendants' List of Trial Exhibits as Exhibit Nos. 56, 57, 58, 59, 60.
11. The Parties stipulate to the authenticity and admissibility of the following West Virginia State Plan materials listed on Defendants' List of Trial Exhibits: D003105736–D003105736, D002774466–D002774472, D003105723–D003105725, D003105737–D003105751.
12. The Parties stipulate to the authenticity and admissibility of the following District Corrective Action Plans and Complete OSRIs listed on Defendants' List of Trial Exhibits: D002212082–D002212087, D002212162–D002212180, D002212630–D002212634, D002211826–D002211832, D002233939–D002233961, D003169689–D003169694, D003169736–D003169743, D002211844–D002211851, D002211929–D002211947, D001242773–D001242797, D001242819–D001242847, D001243129–D001243145, D001243619–D001243632, D001243656–D001243682, D001244351–D001244373, D001244412–D001244437, D002211858–D002211883, D002212394–

- D002212407, D002212799–D002212821, D002212822–D002212832, D002212833–D002212853, D002212854–D002212864, D002212865–D002212874, D002212875–D002212885, D002212886–D002212905, D002212906–D002212917, D002212918–D002212938, D002212939–D002212955, D002779710–D002779727.
13. The Parties stipulate to the authenticity and admissibility of the following case file documents listed on Defendants’ List of Trial Exhibits: D940902–D940906, D955077–D955081, D002081767–D002081768.
 14. The Parties stipulate to the authenticity and admissibility of the following Children with Serious Emotional Disorder Waiver materials listed on Defendants’ List of Trial Exhibits: D002231930–D002232110, D002761257–D002761470, D003105726–D003105735, D003112372–D003112590.
 15. The Parties stipulate to the authenticity and admissibility of the following written discovery responses served by Plaintiffs and listed on Defendants’ List of Trial Exhibits: Exhibit Nos. 174, 175, 176, 177, 178, 179, 180, 181.
 16. The Parties stipulate to the authenticity and admissibility of the following Texas report on court monitor fees and listed on Defendants’ List of Trial Exhibits: D003216595–D003216607.
 17. The Parties stipulate to the authenticity and admissibility of the following documents comprising AFCARS data that is listed on Defendants’ List of Trial Exhibits: D001811618, D002742444, D002760519, D002774561, D002774562, D003114336, D003114337, D003114338, D223492, D223493, D223494, D223495, D223496, D223497, D223498, D223499.
 18. The Parties stipulate to the authenticity and admissibility of the following documents comprising third-party data reports relying on AFCARS or CFSR data that are listed on Defendants’ List of Trial Exhibits: D003171450–D003171450, D003168944–D003168947, D003168940–D003168943, D003168932–D003168935, D003168948–D003168951.

Date:

[Plaintiffs’ signature block]

Respectfully submitted,

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